

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

United States District Court
Southern District of Texas
FILED

CRIMINAL COMPLAINT

Ruben Clarke

A206 438 285

United States

YOB:

PRINCIPAL

1968

JUN 03 2015

Case Number:

M-15-894 -M

Clerk of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about June 1, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Velmo Ivan Jeremias Chavez-Perez, a citizen of Guatemala, along with one (1) other undocumented alien, for a total of two (2), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Rio Grande City, Texas to the point of arrest near La Joya, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On June 1, 2015, at approximately 8:45 pm, DPS Trooper J. Alaniz conducted a vehicle stop in La Joya on a green Nissan Sentra due to a defective high mount stop lamp and an inoperable side marker. Trooper Alaniz suspected 2 of the 4 occupants inside the Sentra were illegally in the United States and contacted Border Patrol for assistance.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

OK to file. TST

☒ Yes ☐ No

Signature of Complainant

Cipriano Shears Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

June 3, 2015

Date

at McAllen, Texas

City and State

Dorina Ramos

, U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-15- 894 **-M**

RE: Ruben Clarke

A206 438 285

CONTINUATION:

Agents M. Dolengowski and M. Valdez responded and interviewed all four people. The driver, identified as Ruben CLARKE, claimed to be a United States citizen. The front passenger, CLARKE'S girlfriend, claimed to be a United States citizen as well. The two passengers in the back seat both claimed to be illegally in the United States. All four people were transported to the McAllen Border Patrol Station for processing.

The USC front seat passenger was released after Agents were unable to find any information implicating her in alien smuggling.

PRINCIPAL'S STATEMENT:

Ruben CLARKE was read his rights. He stated he was willing to provide a statement without the presence of an attorney.

At the scene, after CLARKE was read his rights, he stated he was the driver of the green Nissan Sentra and freely admitted to transporting two undocumented aliens. CLARKE stated that he picked up the undocumented aliens at a residence in Rio Grande City, Texas and was transporting them to a house in McAllen, Texas. Once at the station however, CLARKE told agents he picked up the undocumented aliens on the side of the road and was going to take them to an HEB in McAllen. At the end of his sworn statement, CLARKE told agents he wasn't paid anything for transporting the illegal aliens, and he was just going to do his time. He also stated his girlfriend didn't know anything about it.

NOTE: CLARKE was convicted of alien smuggling on 10/1/14, and was sentenced to 15 months confinement and 2 years SRT.

MATERIAL WITNESS STATEMENT:

Jeremias Chavez-Perez, a citizen of Guatemala, claimed he was charged \$850 (MX PESOS) to be smuggled into the United States. According to Chavez, he illegally crossed the Rio Grande River, and walked to a road, where he waited on a street corner. While on the corner, a green car drove up and the driver asked him where he was going. After Chavez told him McAllen, the driver told Chavez to get in. Chavez identified the driver in a photo lineup as Ruben CLARKE.